

June 8, 2006  
Rush Town Board

A Special Meeting of the Rush Town Board was held on June 8, 2006 at the Rush Town Offices, 5977 East Henrietta Road and was called to order at 6:00 p.m.

Present: Councilman Donald Knab  
Councilman Thomas Doupe  
Councilwoman Lisa Sluberski  
Supervisor William Udicious

Absent: Councilman Luther Keyes, excused

Supervisor Udicious stated that the board members have received a copy of the proposed resolution authorizing the Town's opposition to the lawsuit brought by the County of Monroe regarding the sales tax intercept.

**RESOLUTION #111**

Supervisor Udicious moved that the following proposed resolution be adopted:

WHEREAS the County of Monroe has commenced a lawsuit naming as defendants the Town of Rush along with all other municipalities and school districts in the county, and seeking declaratory judgment of the county's authority to elect the sales tax intercept medical assistance reimbursement methodology, and

WHEREAS, the County of Monroe has taken the position that the intercepted funds will reduce the net sales tax revenue collections that the county is obligated to share with the various municipalities and school districts named in the lawsuit, and

WHEREAS, the County has asserted that it has no obligation to otherwise compensate the various municipalities and school districts for the significant decrease in funds they will receive from New York State sales tax revenue if the intercept option is elected by the County, and

WHEREAS, the County's proposal as set forth in the lawsuit will significantly diminish the funds the Town of Rush will receive from the shared New York State sales tax revenue, and

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WHEREAS, the Town's position in this matter is entirely consistent with a unanimous vote of the Monroe County Supervisors Association at its March 17, 2006, meeting opposing the "intercept" proposal by the County, and

WHEREAS, it is the duty of the Town Board to protect the residents of the Town of Rush from the significant detrimental financial effect of the county's action as proposed in the lawsuit.

THEREFORE, BE IT RESOLVED that the Town Attorney is hereby authorized and directed to file a response to the lawsuit in opposition to the County's position as taken therein.

Councilman Knab seconded the motion.

Roll:	Councilman Knab	aye
	Councilman Doupe	aye
	Councilwoman Sluberski	aye
	Supervisor Udicious	aye carried.

Councilman Knab moved that the meeting be adjourned. Councilman Doupe seconded the motion and all the board was in agreement.

Time: 6:05 p.m.

Respectfully submitted,

Linda G. Henry  
Town Clerk